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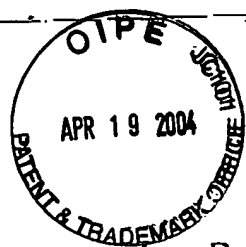
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Teddy Kosoglou et al.

Examiner: Russell S. Travers

Serial No.: 10/057,339

Group Art Unit: 1617

Filed: January 25, 2002

Atty. Docket No.: CV01490K

For: Combinations of Sterol Absorption:
Inhibitor(s) with Cardiovascular
Agent(s) for the Treatment of
Vascular Conditions

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES

This is in response to the Office Action mailed on March 19, 2004, in the above-identified patent application.

Claims 1-49 are pending in the application. A fifteen-way restriction requirement and an election of species requirement were set forth at pages 2-6 of the Office Action. For brevity, these rejections are not repeated herein but reference is made to the Office Action.

Applicants respectfully traverse the restriction and election of species requirements and asserts that there is no undue burden on the examiner to search the subject matter of each of the Groups due to structural similarities between the cores of the compound structures of Formulae (I) – (IX). Also, separate classification has not been noted for each Group. Therefore, reconsideration and withdrawal of the restriction requirement and election of species requirement is respectfully requested.

PROVISIONAL RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES

To facilitate prosecution of the application and in order to comply with the Examiner's requirements, Applicants hereby provisionally elect with traverse the claims of Group V (claims 1-11, 22-23, 33-34, 43-46 and 49) wherein the cardiovascular agent is an antihypertensive agent for initial examination in this application.

Applicant provisionally elects with traverse the compound of Formula (II) (shown at page 23 of the specification) in response to the Examiner's election of species requirement of a sterol absorption inhibitor for initial examination in this application. Elected claims readable thereon include claims 1-3, 10, 22-23, 33-34, 43-46 and 49.

Examination on the merits for the pending claims is respectfully requested. Applicants also respectfully request that the Examiner initial and return the outstanding PTO-1449 forms indicating consideration of the Information Disclosure Statements.

Respectfully submitted,

ANN MARIE CANNONI
Registration No. 35,972
Attorney for Applicant



Date: April 19, 2004

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TO: USPTO
Attention: Office of Initial Patent
Examinations
Examiner Russell S. Travers

FAX NUMBER:
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FROM: Ann Marie Cannoni

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(908) 298-5024

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DATE
April 19, 2004

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In re Application of: Teddy Kosoglou, *et al.*
For Patent For: Combinations of Sterol Absorption Inhibitor(s) with
Cardiovascular Agent(s) for the Treatment of Vascular
Conditions.


Group Art Unit: 1617
Attorney Docket No.: CV01490K
Filed: 01/25/2002

US/ Serial No.: 10/057,339

Dear Examiner:

Transmitted here with are:

- Response to Restriction Requirement and Election of Species - 2 Pages
- Certificate of Transmission PTO/SB/97 - 1 Page
- Response Transmittal PTO/SB/21 - 1 Page
- Fax Cover Sheet - 1 Page


Ann Marie Cannoni
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Agency Docket No.: CV01490K

Application No.: 10/057,339

Filing Date: 01/25/2002

First Named Inventor: Teddy Kosoglou et al.

PTO/SB/97 (06-03)

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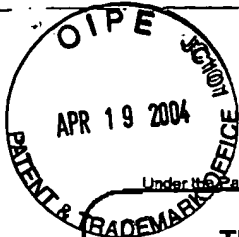
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| Application Number | 10/057,339 |
| Filing Date | 01/25/2002 |
| First Named Inventor | Teddy Kosoglou et al. |
| Art Unit | 1617 |
| Examiner Name | Russell S. Travers |
| Attorney Docket Number | CV01490K |

ENCLOSURES (Check all that apply)

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| | |
|-------------------------|------------------------------------|
| Firm or Individual name | Ann Marie Cannoni, Reg. No. 35,972 |
| Signature | |
| Date | 04/19/2004 |

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